



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

June 10, 2015

Steven V. King, Executive Director and Secretary  
Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. San Juan Express, Inc.*

Commission Staff's Response to Application for Mitigation of Penalties TS-150965

Dear Mr. King:

On May 21, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TS-150965 against San Juan Express, Inc. for 10 violations of Washington Administrative Code (WAC 480-51-100), which requires commercial ferry companies to furnish annual reports to the commission no later than May 1 each year.

On June 3, 2015, San Juan Express, Inc. wrote the commission requesting mitigation of penalties. In its mitigation request, San Juan Express, Inc. does not dispute the violation occurred. The company states, "Our prior CFO resigned in April and did not prepare this form prior to resignation. This form has been completed by the new CFO and mailed on May 29, 2015.

It is the company's responsibility to ensure that the regulatory fee is paid and the annual report is filed by the May 1 deadline. On February 27, 2015, Annual Report packets were mailed to all regulated commercial ferry companies. The instructions for annual report completion page of the annual report informed the regulated company that it must complete the annual report form, pay the regulatory fees, and return the materials by May 1, 2015, to avoid enforcement action.

On June 3, 2015, San Juan Express, Inc. filed the 2014 annual report and paid the required regulatory fees and late payment penalty. The company has been active since 1991. No prior violations of WAC 480-51-100 are on commission record. Staff supports the company's request

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for mitigation as this is the company's first delinquent filing. Staff recommends a reduced penalty of \$25 per day resulting in a total penalty assessment of \$250.

If you have any questions regarding this recommendation, please contact Amy Andrews, Regulatory Analyst, at (360) 664-1157, or [aandrews@utc.wa.gov](mailto:aandrews@utc.wa.gov).

Sincerely,

 (for Sandra Walsh)  
Sondra Walsh, Director  
Administrative Services